IN THE HIGH COURT OF JUDICATURE AT BOMBAY
Appellate Side
WRIT PETITION NO.5061 OF 2006

Dedhia Bhakti Hemam. .. .. Petitioner
v/s.
1. The Principal,
St.Xavier's Institute of
Education & ors. .. .. Respondents

Petitioner in person.

Mr.S.C.Naidu i/by M/s.C.R.Naidu & Co. for respondent No.1.

Mr.C.R.Sonawane, AGP for respondent Nos.3 & 4.

CORAM : H.L. GOKHALE, ACTING C.J. &
V.M. KANADE, J.

DATED : 14th February 2007

P.C. :

1. This Petition was filed in August 2006 for seeking admission to the petitioner in the B.Ed. Course for the academic year 2006-2007. Initially, one seat was directed to be kept vacant. However, after the replies were filed, it was noted in the order passed on 28th August 2006 by another Division Bench that the petitioner will have to be placed in the merit list of Commerce subject as per her marks and she will be placed in appropriate college according to her option, if the seat was available. The Division Bench modified the order passed earlier reserving one seat for the petitioner and the seat was no longer

reserved for her.

2. Mr.Naidu appearing for the 1st respondent points out that the petitioner was wrongly treated as falling in the 28% quota of the students from the Universities in Maharashtra other than Mumbai. She, in fact, was falling in the 2% quota for the students outside Maharashtra. That apart, the fact remains that as far as the academic year 2006-2007 is concerned, it is over. The petitioner will have to appear for the examination for the academic year 2007-2008 or the future years, in case she is so interested.

3. We are informed that the Common Entrance Test is to be held on 17th February 2007. The petitioner may appear for that examination. Obviously, there is hardly any time and there is delay in filling the form. However, in case the petitioner is interested in filling the form, we direct the Authorities to condone the delay and accept her form and fees. We are informed that the forms are accepted by the concerned Directorate situated at Secondary Teachers' Institute, next to St.Xavier College, Dhobi Talav, Mumbai.

4. The Authorities will see to it that the petitioner is given admission card and she is allowed to appear for the examination which is to be held on 17th February 2007.

5. In view of what is recorded above, Rule issued earlier on the Petition will stand discharged.

6. All Authorities will act on an authenticated copy of this order.

(ACTING C.J.)

(V.M. KANADE, J.)